

**AMENDMENT TO THE AMENDMENT IN THE NA-  
TURE OF A SUBSTITUTE TO THE COMMITTEE  
PRINT**

**OFFERED BY MR. MCHENRY OF NORTH**

**CAROLINA**

**[Budget Reconciliation]**

At the end of the Print, add the following new sub-  
title:

**1 Subtitle F—Immediate Reforms to  
2 Expedite COVID Rental Assistance**

**3 SEC. 40501. SIMPLIFYING AND EXPEDITING THE DELIVERY  
4 OF RENTAL ASSISTANCE.**

5 (a) CONSOLIDATION OF EMERGENCY RENTAL AS-  
6 SISTANCE PROGRAMS.—Notwithstanding any inconsistent  
7 provision of section 3201 of the American Rescue Plan  
8 Act of 2021 (15 U.S.C. 9058c), amounts made available  
9 under subsection (a)(1) of such section shall be subject  
10 to the following requirements:

11 (1) PAYMENT.—Any amounts allocated to an  
12 eligible grantee that, as of July 1, 2021, have not  
13 been paid to the eligible grantee shall be paid (but  
14 not reallocated) to the eligible grantee in accordance  
15 with section 501(b) of subtitle A of title V of divi-

1 sion N of the Consolidated Appropriations Act, 2021  
2 (15 U.S.C. 9058a(b)), except that such section  
3 501(b)(1)(A)(i) shall be applied to such amounts by  
4 substituting “subtitle F of the Act of the 107th Con-  
5 gress entitled ‘To provide for reconciliation pursuant  
6 to title II of S. Con. Res. 14.’” for “this section”.

7 (2) TREATMENT.—Any amounts described in  
8 paragraph (1) and any amounts that have been paid  
9 to an eligible grantee under such section 3201 but  
10 have not been used, as of July 1, 2021, to assist an  
11 eligible household, shall be treated as having been  
12 paid to such eligible grantee pursuant to such sec-  
13 tion 501(a) and shall be subject to the provisions of  
14 such section 501, as amended by this section, except  
15 to the extent inconsistent with this section.

16 (b) AVAILABILITY OF FUNDS.—Paragraph (1) of sec-  
17 tion 501(e) of subtitle A of title V of division N of the  
18 Consolidated Appropriations Act, 2021 (15 U.S.C.  
19 9058a(e)(1)), is amended by striking “September 30,  
20 2022” and inserting “December 31, 2021”.

21 (c) EXPEDITING THE DELIVERY OF ASSISTANCE.—  
22 Section 501(d) of subtitle A of title V of division N of  
23 the Consolidated Appropriations Act, 2021 (15 U.S.C.  
24 9058a(d)) is amended by striking “the Secretary shall re-  
25 capture excess funds, as determined by the Secretary, not

1 obligated by a grantee” and inserting “each month the  
2 Secretary shall recapture from the pool of grantees who  
3 comprise the lowest 10 percent of all grantees, as meas-  
4 ured by the percentage of funds obligated from amounts  
5 originally allocated and paid to such grantee under sub-  
6 section (b)(1), an amount equal to not less than 25 per-  
7 cent of funds not currently obligated by a grantee”.

8 **SEC. 40502. ENDING THE THREAT OF EVICTIONS BY ELIMI-**  
9 **NATING RENT ARREARS.**

10 (a) REQUIREMENT TO USE CONSOLIDATED APPRO-  
11 PRIATIONS ACT FUNDS FOR RENTAL ARREARS.—

12 (1) IN GENERAL.—Subsection (c) of section  
13 501 of subtitle A of title V of division N of the Con-  
14 solidated Appropriations Act, 2021 (15 U.S.C.  
15 9058a(c)), is amended by adding at the end the fol-  
16 lowing new paragraph:

17 “(6) REQUIREMENT TO USE ASSISTANCE FOR  
18 RENTAL ARREARS.—Notwithstanding any other pro-  
19 vision of this subsection, effective on the date of en-  
20 actment of this paragraph, any funds paid to an eli-  
21 gible grantee pursuant to subsection (a) that have  
22 not been used to assist an eligible household shall be  
23 used only to provide financial assistance to eligible  
24 households solely for the payment of rent arrears  
25 under paragraph (2)(A)(ii) of this subsection.”.

1           (2) ARPA FUNDS.—Any amounts described in  
2           section 2(a)(1) of this Act and any amounts that  
3           have been paid to an eligible grantee under such sec-  
4           tion 3201 but have not been used, as of July 1,  
5           2021, to assist an eligible household, shall be used  
6           only to provide financial assistance specified in para-  
7           graph (6) of section 501(c) of subtitle A of title V  
8           of division N of the Consolidated Appropriations  
9           Act, 2021 (15 U.S.C. 9058a(c)(6)), as added by  
10          subsection (a) of this section.

11          (b) FULLY ELIMINATING RENT ARREARS.—Section  
12          501(c)(2) of subtitle A of title V of division N of the Con-  
13          solidated Appropriations Act, 2021 (15 U.S.C.  
14          9058a(c)(2)) is amended by adding at the end the fol-  
15          lowing new subparagraph:

16                   “(D) REQUIREMENT TO EXTINGUISH  
17                   RENTAL ARREARS.—For any financial assist-  
18                   ance provided by an eligible grantee to an eligi-  
19                   ble household pursuant to paragraph (2)(A)(ii)  
20                   of this subsection, such assistance must fully  
21                   extinguish all eligible rental arrears for which  
22                   an application has been submitted.”.

23          **SEC. 40503. TARGETING ASSISTANCE TO HOUSEHOLDS**  
24                   **WITH THE HIGHEST NEED.**

25          (a) DIRECT COVID IMPACT.—

1           (1) CONSOLIDATED APPROPRIATIONS ACT.—  
2           Section 501(k)(3)(A)(i)(II) of subtitle A of title V of  
3           division N of the Consolidated Appropriations Act,  
4           2021 (15 U.S.C. 9058a(k)(3)(A)(i)(II)) is amended  
5           by striking “due, directly or indirectly, to” and in-  
6           serting “due directly to”.

7           (2) ARPA.—Section 3201(f)(2)(A)(ii) of the  
8           American Rescue Plan Act of 2021 (15 U.S.C.  
9           9058c(f)(2)(A)(ii)) is amended by striking “hardship  
10          during or due, directly or indirectly,” and inserting  
11          “hardship due directly”.

12          (b) PRIORITIZATION OF HARDEST HIT HOUSE-  
13          HOLDS.—Section 501(c)(4) of subtitle A of title V of divi-  
14          sion N of the Consolidated Appropriations Act, 2021 (15  
15          U.S.C. 9058a(c)(4)) is amended by adding at the end the  
16          following new subparagraph:

17                   “(C) In approving applications for finan-  
18                   cial assistance and housing stability services to  
19                   eligible households from a payment made under  
20                   this section, an eligible grantee shall prioritize  
21                   approval of those applications by eligible house-  
22                   holds which include a valid copy of a submitted  
23                   Federal or State tax return for calendar year  
24                   2020 for purposes of income verification under  
25                   subsection (k)(3)(C)(i)(I).”.

1 **SEC. 40504. INCENTIVIZING ROBUST LANDLORD PARTICI-**  
2 **PATION.**

3 (a) **MAXIMIZING LANDLORD PARTICIPATION.**—Sec-  
4 tion 501(c) of subtitle A of title V of division N of the  
5 Consolidated Appropriations Act, 2021 (15 U.S.C.  
6 9058a(c)), as amended by the preceding provisions of this  
7 subtitle, is further amended by adding at the end the fol-  
8 lowing new paragraph:

9 “(7) **PROHIBITION ON CONDITIONAL FINANCIAL**  
10 **ASSISTANCE.**—Subject to the requirements of sub-  
11 section (f)(2), for any payments made by an eligible  
12 grantee to a lessor or utility provider on behalf of  
13 an eligible household, the eligible grantee may not  
14 condition acceptance of any such payments on any  
15 future action or inaction by the lessor or utility pro-  
16 vider.”.

17 (b) **APPLICATIONS SUBMITTED ON BEHALF OF TEN-**  
18 **ANT WITHOUT TENANT SIGNATURE.**—Section 501(f) of  
19 subtitle A of title V of division N of the Consolidated Ap-  
20 propriations Act, 2021 (15 U.S.C. 9058a(f)) is amend-  
21 ed—

22 (1) in paragraph (2), by striking subparagraph  
23 (A) and inserting the following:

24 “(A) either—

1 “(i) the landlord must obtain the sig-  
2 nature of the tenant on such application,  
3 which may be documented electronically; or

4 “(ii) in the case of a landlord who has  
5 not obtained the signature of the tenant on  
6 such application, the Secretary shall not  
7 later than 30 days after the date of the en-  
8 actment of this subparagraph establish a  
9 process by which a landlord may submit  
10 such application after taking reasonable  
11 steps to obtain such signature, as deter-  
12 mined by the Secretary;”.

13 (2) by adding at the end the following new  
14 paragraph:

15 “(3) NOTICE OF APPLICATION.—In the case of  
16 a landlord applying pursuant to paragraph  
17 (1)(A)(ii), the Secretary shall require the landlord to  
18 notify the renter of the intent of the landlord to sub-  
19 mit such application not less than 7 days before  
20 such landlord submits such application.”.

21 (c) APPLICATIONS FOR RENT ARREARS ASSISTANCE  
22 ON VACATED UNITS.— Section 501(f) of subtitle A of title  
23 V of division N of the Consolidated Appropriations Act,  
24 2021 (15 U.S.C. 9058a(f)), as amended by the preceding

1 provisions of this Act, is further amended by adding at  
2 the end the following new paragraph:

3           “(4) LANDLORD APPLICATION FOR ASSISTANCE  
4           ON VACATED UNITS.—Not later than 30 days after  
5           the date of the enactment of this paragraph, the  
6           Secretary shall establish a process for a landlord to  
7           submit an application for assistance to eliminate the  
8           arrears incurred from a dwelling that has been va-  
9           cated by a renter, which shall include the following  
10          requirements:

11                   “(A) The dwelling had been occupied by a  
12                   tenant or tenants with a written lease agree-  
13                   ment for a period of not less than 90 days be-  
14                   ginning on or after March 13, 2020, who have  
15                   incurred arrears.

16                   “(B) The tenant or tenants that have in-  
17                   curred arrears have vacated the dwelling for a  
18                   period of not less than 30 days prior to applica-  
19                   tion.

20                   “(C) The landlord shall not be required to  
21                   obtain the consent of the vacated tenant to sub-  
22                   mit an application for arrears.”.

23          (d) BULK APPLICATIONS FOR ASSISTANCE.—Section  
24          501(f) of subtitle A of title V of division N of the Consoli-  
25          dated Appropriations Act, 2021 (15 U.S.C. 9058a(f)), as

1 amended by the preceding provisions of this subtitle, is  
2 further amended by adding at the end the following new  
3 paragraph:

4 **SEC. 40505. REQUIRING ACCOUNTABILITY AND FIGHTING**  
5 **FRAUD.**

6 (a) **ELIGIBILITY VERIFICATION AND PROHIBITION**  
7 **OF FALSE STATEMENTS.**—Section 501 of subtitle A of  
8 title V of division N of the Consolidated Appropriations  
9 Act, 2021 (15 U.S.C. 9058a) is amended by adding at  
10 the end the following new subsection:

11 “(m) **PREVENTION OF FRAUD.**—

12 “(1) **IN GENERAL.**—Any submission to establish  
13 eligibility pursuant to an application to an eligible  
14 grantee for financial assistance or housing stability  
15 services by an eligible household or by a lessor or  
16 utility provider on behalf of the eligible household,  
17 including an attestation of eligibility, shall be made  
18 in writing.

19 “(2) **FALSE STATEMENTS DISCLAIMER.**—Any  
20 application for assistance under this under this sec-  
21 tion or section 3201 of the American Rescue Plan  
22 Act of 2021 (15 U.S.C. 9058c) provided by an eligi-  
23 ble grantee shall contain the following disclaimer  
24 displayed in a in a clear and conspicuous manner:  
25 ‘Falsification of paperwork or any material false-

1 hoods or omissions in the application, including  
2 knowingly seeking duplicative benefits, is subject to  
3 State and Federal criminal penalties. You are par-  
4 ticularly put on notice that section 1001 of title 18,  
5 United States Code, states that a person shall be  
6 fined or imprisoned for up to five (5) years for  
7 knowingly and willfully making any materially false  
8 or fraudulent statement or representation to any  
9 U.S. Department or Agency.’”.

10 (b) CONFIRMATION OF APPROVED ASSISTANCE.—  
11 Section 501(c) of subtitle A of title V of division N of  
12 the Consolidated Appropriations Act, 2021 (15 U.S.C.  
13 9058a(c)), as amended by the preceding provisions of this  
14 Act, is further amended by adding at the end the following  
15 new paragraph:

16 “(8) DOCUMENTATION OF USE.—For any pay-  
17 ments made by an eligible grantee directly to an eli-  
18 gible household for the purpose of making payments  
19 to the lessor or utility provider, the eligible grantee  
20 shall require that the eligible household provide  
21 timely documentation that such payments were fully  
22 used by the eligible household only for the purpose  
23 for which the payments were provided.”.

24 (c) COMPREHENSIVE INSPECTOR GENERAL OVER-  
25 SIGHT.—Section 501(i)(1) of subtitle A of title V of divi-

1 sion N of the Consolidated Appropriations Act, 2021 (15  
2 U.S.C. 9058a(i)(1)) is amended by striking “under this  
3 section” and inserting “under this section and section  
4 3201 of the American Rescue Plan Act of 2021 (15 U.S.C.  
5 9058e)”.

6 “(5) BULK APPLICATIONS.—Not later than 30  
7 days after the date of the enactment of this para-  
8 graph, the Secretary shall establish a process for a  
9 landlord of a residential dwelling to submit a con-  
10 solidated application for financial assistance on be-  
11 half of all eligible households within that dwelling.”.

12 **SEC. 40506. OUTREACH TO RENTERS AND LANDLORDS AND**  
13 **TECHNICAL ASSISTANCE.**

14 (a) Section 501 of subtitle A of title V of Division  
15 M of the Consolidated Appropriations Act, 2021 (15  
16 U.S.C. 9058a), as amended by the preceding provisions  
17 of this subtitle, is further amended by adding at the end  
18 the following:

19 “(n) OUTREACH AND TECHNICAL ASSISTANCE.—

20 “(1) OUTREACH.—The Secretary and the  
21 grantee shall conduct outreach to renters and land-  
22 lords to ensure maximum participation in the emer-  
23 gency rental assistance program established under  
24 this section, including by—

1           “(A) not later than 30 days after the date  
2 of the enactment of this subsection sending di-  
3 rect mail to all taxpayers that educates the tax-  
4 payers about the emergency rental assistance  
5 program established under this section and how  
6 the taxpayer may qualify for assistance;

7           “(B) not later than 30 days after the date  
8 of the enactment of this subsection sending di-  
9 rect mail to taxpayers who received rental in-  
10 come in 2020 that informs such taxpayers that  
11 renters of their dwellings may qualify for the  
12 emergency rental assistance program estab-  
13 lished under this section; and

14           “(C) purchasing television, radio and elec-  
15 tronic advertisement to educate Americans  
16 about the emergency rental assistance program  
17 established under this section and how Ameri-  
18 cans may qualify for assistance.

19           “(2) TECHNICAL ASSISTANCE.—The Secretary  
20 shall provide technical assistance to grantees and  
21 this technical assistance shall include—

22           “(A) assisting grantees with the develop-  
23 ment and administration of programs under  
24 this section;

1           “(B) providing technical advice and tech-  
2           nology to grantees, including software and auto-  
3           mated payment disbursement tools; and

4           “(C) other information and technical as-  
5           sistance as the Secretary determines appro-  
6           priate to assist grantees to achieve the objec-  
7           tives of this section.

8           “(3) AUTHORIZATION OF APPROPRIATIONS.—  
9           There is authorized to be appropriated to the Sec-  
10          retary of the Treasury to carry out the outreach and  
11          technical assistance required under this subsection  
12          \$50,000,000 for use in fiscal year 2022.”.

13 **SEC. 40507. APPROPRIATION.**

14          In addition to amounts otherwise available, there is  
15          hereby appropriated to the Secretary of the Treasury for  
16          fiscal year 2022, out of any money in the Treasury not  
17          otherwise appropriated, \$1, to remain available until ex-  
18          pended, to carry out the amendments made by this sub-  
19          title.

